

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

CASE CLOSURES UNDER
ENFORCEMENT PRIORITY SYSTEM

2003 JAN 27 A 10: 09

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION

The cases listed below have been evaluated under the Enforcement Priority System ("EPS") and identified as either low priority or potential ADR transfers. This report recommends that the Commission no longer pursue the cases cited in section II

II. CASES RECOMMENDED FOR CLOSURE

**Cases Not Warranting Further Action Relative to Other Cases
Pending Before the Commission**

EPS was created to identify pending cases that, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditures of resources. Central Enforcement Docket ("CED") evaluates each incoming matter using Commission-approved criteria that result in a numerical rating for each case.

We have identified cases which this Office recommends be
closed.²

IV. RECOMMENDATIONS

OGC recommends that the Commission exercise its prosecutorial discretion and close
the cases listed below effective two weeks from the date the Commission votes on the

² The cases recommended for closure are: MUR 5255 (*Roy Brown for Congress*); MUR 5256R (*Allied Pilots Association PAC*); MUR 5271 (*A Whole Lot of People for Grijalva Congressional Committee*); MUR 5280 (*Bundgaard for Congress*); MUR 5284 (*Moran for Congress*); MUR 5289 (*Friends of the Rouge & Friends of the Detroit River*); and MUR 5301 (*Charlotte Reeves for US Congress*).

recommendations. Closing these cases as of this date will allow CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

Take no action, close the file effective two weeks from the date of the Commission vote, and approve the appropriate letters in:

- | | | |
|-------------|--------------|-------------|
| 1. MUR 5255 | 2. MUR 5256R | 3. MUR 5271 |
| 4. MUR 5280 | 5. MUR 5284 | 6. MUR 5289 |
| 7. MUR 5301 | | |

Lawrence H. Norton
General Counsel

1/24/23
Date

BY:

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5 **MUR 5271**
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7 **Complainant: Ray Carroll**
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9 **Respondents: A Whole Lot of People for Grijalva Congressional Committee and**
10 **Thomas Chandler, Treasurer**
11 **Pima County**
12 **Ruben Reyes**
13

14 **Allegations: Complainant, Ray Carroll, alleged that Raul Grijalva violated the Act by**
15 **allowing a newly re-hired Pima County Board of Supervisors employee, Ruben Reyes, to**
16 **work as a campaign volunteer. Newspaper articles attached to the complaint noted that**
17 **Mr. Reyes did practically nothing while earning \$22.62 per hour for a job that did not**
18 **exist before Mr. Grijalva resigned from the Board of Supervisors. Another article noted**
19 **that while on sick leave Mr. Reyes was seen working for the campaign to "get Grijalva**
20 **elected." The complainant noted that the County Administrator, Chuck Huckelberry,**
21 **hired Mr. Reyes and publicly admitted that he knew Mr. Reyes would continue to work**
22 **on the campaign while also being a county employee. All of the above actions were**
23 **alleged to have resulted in prohibited in-kind contributions to A Whole Lot of People for**
24 **Grijalva Congressional Committee ("Committee") and Thomas Chandler, as treasurer.**
25

26 **Responses: The Committee responded by stating that it had nothing to do with the**
27 **employment relationship between Mr. Reyes and Pima County. Mr. Reyes was not a paid**
28 **staff member for the Committee.**
29

30 **Mr. Reyes stated that he resigned from the position held with Pima County and**
31 **reimbursed the county for wages that were unearned. Moreover, for a period immediately**
32 **after his resignation he acknowledged receiving payroll wages through his accumulated**
33 **leave hours. Furthermore, Mr. Reyes noted that he volunteered to work on the campaign**
34 **for Mr. Grijalva and did not accept any compensation.**
35

36 **C.H. Huckelberry responded on behalf of Pima County by stating that it made no**
37 **improper contribution to the Committee. Furthermore, the county was following a**
38 **practice of hiring former administrative assistants into unclassified service upon the**
39 **resignation of their supervisor. Mr. Reyes was cautioned to keep his campaign activities**
40 **for Mr. Grijalva separate from his job duties with Pima County. Mr. Reyes voluntarily**
41 **resigned from his position after the complainant indicated his employment was improper.**
42 **Mr. Reyes returned his salary for the period he was employed minus his accumulated**
43 **leave he had earned previously with the county.**
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46 **This matter is less significant relative to other matters pending before the Commission.**

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